

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11820 of 2016

Arising Out of PS.Case No. -697 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Nitish Kumar Son of Rabindra Singh, Resident of Mohalla- Bhabua Ward
No. 20 (Gawai), P.S.- Bhabua, District- Kaimur (Bhabua)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Yogendra Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 02-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bhabua
P.S. Case No. 697 of 2015 registered for the offence punishable
under Section 414 of the Indian Penal Code.

Allegedly, the petitioner was apprehended with stolen
motorcycle during vehicle checking and during investigation it
transpired that the recovered motorcycle is of another person.

Submission is of false implication and that the
petitioner was not arrested with any stolen bike, he was not
driving the said motorcycle, due to misunderstanding he was
caught, resulting, he is in custody since 12.12.2015, having no
criminal antecedent.

The learned A.P.P. opposes the prayer of bail by pointing out the alleged recovery of stolen motorcycle.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of six months in custody from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Kaimur (Bhabua) in connection with Bhabua P.S. Case No. 697 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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